

**UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

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| IN RE: Denise M. Riccio fka Denise Jubo aka Denise Marie Riccio | BK NO. 21-02046 MJC |
| Debtor(s) | Chapter 13 |
| M&T Bank | Hearing Date: 2/15/2022 |
| Movant | |
| vs. | |
| Denise M. Riccio fka Denise Jubo aka Denise Marie Riccio | |
| Respondent(s) | |

**OBJECTION OF M&T BANK
TO CONFIRMATION OF CHAPTER 13 PLAN**

M&T Bank (hereinafter Movant), objects to confirmation of Debtor's Chapter 13 plan and asserts in support of its Objection as follows:

1. Movant's claim is secured by a mortgage on Debtor's property at 102 Wood Haven Court, Milford, PA, 18337.
2. On October 20, 2021, Movant filed a secured proof of claim setting forth the Total Debt in the amount of \$41,558.51, pre-petition arrears in the amount of \$12,031.28 with an annual interest rate of 7.00%.
3. Debtor's Plan provides for payment in the amount of \$42,805.27 with an annual interest rate of 3.00% towards the Total Debt claim of the Movant.
4. Debtor's Plan understates the amount of the Movant's claim by and not providing sufficient funding to pay said claim including present value interest and thus is not in compliance with Till v. SCS Credit Corp., 541 U.S. 465 (2004).
5. Accordingly, Debtor's Plan is not feasible, as it does not fully compensate the Movant.
6. In addition, the Debtor's Plan fails to comply with 11 U.S.C. §§ 1322 and 1325.

WHEREFORE, the Movant, M&T Bank, prays that the Court deny confirmation of the Debtor's Plan.

Respectfully submitted,

Date: January 28, 2022

By: /s/ Rebecca A. Solarz, Esquire
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